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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 5th meeting
Held at Headquarters, New York, on Monday, 19 June 2017, at 10 a.m.

Chair: Mr. Ramírez Carreño (Bolivarian Republic of Venezuela)

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The meeting was called to order at 10.20 a.m.

Special Committee decision of 20 June 2016 concerning Puerto Rico (A/AC.109/2017/L.12 and A/AC.109/2017/L.13)

Requests for hearing (Aide-memoire 04/17/Add.1)

1. **The Chair** drew attention to aide-memoire 04/17/Add.1 relating to the Special Committee decision of 20 June 2016 concerning Puerto Rico, which contained an additional five requests for hearing under that item, bringing the total to 60. He took it that the Committee wished to accede to those requests.

2. *It was so decided.*

3. **The Chair** said that the delegations of Belize and Zimbabwe had indicated their wish to participate in the Committee's consideration of the item as observers.

4. For over 40 years, the Committee had been examining the case of Puerto Rico and, for close to the same period of time, Oscar López Rivera had been imprisoned on account of his desire for the country to be free and self-governing. He had suffered unjustly but had never abandoned his principles and dignity, even refusing to negotiate the terms of his release so long as other independence activists remained in prison. Mr. Rivera had become a symbol of resistance like Nelson Mandela. Communities around the world had expressed solidarity for his cause through regional and international organizations, multilateral political mechanisms and political organizations, and the Committee had contributed to the efforts to free him, by means of resolutions, decisions and communications sent to the United States delegation.

5. **Mr. López Rivera** (Fundación Oscar López Rivera Libertà) said that he was grateful for every resolution the Committee had adopted in support of both the right of Puerto Rico to be an independent and sovereign nation and the release of Puerto Rican political prisoners. He was also thankful for the support that many political leaders had given to the just and noble cause of Puerto Rico. He had served that cause for five decades, and it had been an act of love and individual duty as a citizen. It had been a liberating experience, and in spite of the horrible things done to him in prison, he had come home with his honour, dignity and spirit stronger than the day he had been sent to prison. Thanks to the hard work of many individuals and nations, there were no longer any Puerto Rican political prisoners in the gulags of the United States Government. However, there were still political prisoners within its prison industrial complex, including one Puerto Rican woman, Ana Belén Montes, who had chosen to serve a just cause and go to prison for it rather than do the dirty work of the United States intelligence agencies. The United States had terrorists on its payroll who had killed *independentistas* in Puerto Rico and had committed the crime of colonialism against the island and prevented its people from exercising their inalienable right to self-determination. Upon returning to his homeland, he had discovered that it had changed in several ways. It was now under the control of a financial oversight board, imposed by the United States Government, which had the power to dictate how the colonialists should administer the colony, particularly when dealing with the $72 billion debt Puerto Rico owed to banks and hedge funds. Also, the process of gentrification was accelerating whereby million-dollar condominiums were being constructed for the rich, to the detriment of poor communities.

6. Since the United States had invaded Puerto Rico in 1898, it had endeavoured to depopulate the island. In three major waves — the early 1900s, the period after World War II and again beginning around 2000 — Puerto Rican people had been forced to emigrate to faraway places like Hawaii and the southern and western continental United States. The loss of the island's best human resources on such a scale had made it difficult to establish a strong economy and good quality of life for the local citizens. The population was aging and becoming ever poorer as young people of reproductive age left Puerto Rico en masse, and as foreigners bought the expensive condominiums and lived in enclosed upper-class communities. Through the financial oversight board, the colonialists were pushing their plans for privatization, despite the fact that it had played a major role in the severe downturn of the economy. Many schools would be closing in 2017, teachers would lose their jobs and the poorer communities would suffer the worst. The University of Puerto Rico was facing a cut in its budget of nearly half a billion dollars, which would be used to fill the coffers of the banks and hedge funds.

7. Despite the bleak outlook, now was the time for an effective decolonization process. Most Puerto Ricans loved their national identity, culture, language and origins, and knew that Puerto Rico could, with its talented people and other resources, become a strong nation and an asset to the economies of Caribbean and Latin American countries. The Committee should refer the question of the decolonization of Puerto Rico to the General Assembly and ask it to fulfil its responsibility to end the colonization of Puerto Rico by the United States. Colonialism was a crime against all of humanity.

8. Puerto Rico was threatened by privatization and by the criminal acts of a financial oversight board that had been established with the sole aim of extracting every last dime from the pockets of the people. Wherever they were, Puerto Ricans loved their fatherland and wanted it to be integrated with the world community. If the depopulation of Puerto Rico by the United States was successful, the people would lose everything. Everyone who loved justice and liberty must take an objective look at what was happening. United States interference in other countries was an enormous problem that affected the entire world, and it must not be allowed to dictate its demands to countries such as Cuba, Venezuela, Nicaragua, Costa Rica, Ecuador and Bolivia. In the 1980s Fidel Castro had called on Latin American Governments not to pay their external debts, since doing so would only serve to propagate the despoiling of their countries. People were now encouraged to adopt a similarly assertive position and fight for a more just world.

Hearing of representatives of the Non-Self-Governing Territory

9. **The Chair** said that, in line with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

10. **Mr. Rivera Marín** (Secretary of State, Commonwealth of Puerto Rico), speaking on behalf of the Governor of Puerto Rico, said that the Committee must take action on Puerto Rico, in particular to address the violations of human, civil and political rights on the island. The financial oversight board established by the United States had full control over the Government elected by the Puerto Rican people, and the Federal Congress had passed anti-democratic legislation without consulting the people of the Territory.

11. In the referendum held in 2012, 54 per cent of the population had rejected the colonial status quo, while 61 per cent had voted for statehood. The consent of the governed to be a colony had therefore been retracted. The 2017 referendum had originally included the only options for decolonization recognized by international law: full statehood and free association/independence. However, the United States Government had required the addition of the current territorial status as a third option. The Government of Puerto Rico had amended the law to comply with those requirements and promote the decolonization of the island.

12. On 11 June 2017, over half a million people had gone to the polls to express their preference, with 97.1 per cent voting for statehood, 1.5 per cent for free association/independence and 1.3 per cent for the current territorial status. The Committee, as well as the Government of the United States, must validate the results of that democratic process, which had included all possible options and had complied with the Charter of the United Nations with regard to the question of self-determination.

13. Taking into account the desire to become an American state expressed by the Puerto Rican people in 2012 and again in 2017, the Committee should respect that democratic expression of will by not adopting resolutions that supported the country's independence. In 2016, the Government of the United States had recognized the validity of the statehood option during a meeting of the Special Committee. Also in 2016, all three branches of the United States Government had made it clear that the allegedly inalterable pact that governed the relationship between the United States and Puerto Rico had been dissolved and that, contrary to the statements made by the United States in 1953, Puerto Rico did not enjoy self-government. The current territorial arrangement did not therefore meet the criteria for self-government that had been established under General Assembly resolution 748 (VIII), and the Committee should ask the General Assembly to reinstate Puerto Rico on the list of Non-Self-Governing Territories. Puerto Ricans were virtually unanimous in believing that their island was a colony because of the imposition of the financial oversight board and because of the Supreme Court ruling in *Commonwealth of Puerto Rico v. Sánchez Valle*, both of which had confirmed that the ultimate power over all decisions on Puerto Rico lay with the United States Congress.

Hearing of petitioners

14. **The Chair** said that, in line with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements.

15. **Mr. Torres Rivera** (Colegio de Abogados de Puerto Rico) said that, as the oldest civil society organization in Puerto Rico, the Colegio was grateful for the Committee's efforts in securing the release of Oscar López Rivera.

16. The United States must put an end to a colonial relationship that violated the principle of self-determination. The political subjugation of Puerto Rico was not merely a civil rights problem, but also a human rights problem. According to General Assembly resolution 1514 (XV), the subjection of peoples to

alien subjugation, domination and exploitation constituted a denial of fundamental human rights.

17. During the 2012 referendum, the people of Puerto Rico had overwhelmingly rejected the political status quo, but the United States Government had continued its colonial subjugation of the Territory. In 2016, the United States Congress had approved the Puerto Rico Oversight, Management, and Economic Stability Act ("PROMESA"), which had established a financial oversight board and unilaterally seized control of all three branches of the Territory's Government.

18. In the case of *Commonwealth of Puerto Rico v. Sánchez Valle*, the Supreme Court had ruled that the ultimate power over all decisions regarding Puerto Rico lay with the United States Congress. The referendum held on 11 June 2017 had been manipulated in order to obtain a false majority in favour of statehood, thus perpetuating the existing colonial relationship; the interest of the United States in perpetuating that relationship was evident from the fact that the Government had demanded that the status quo of Free Associated State should be included as an option on the referendum.

19. Ensuring the right to self-determination and independence, as enshrined in General Assembly resolution 1514 (XV), was a responsibility that must be shared by the United States and the international community; the United States must refrain from creating any further obstacles and must instead facilitate the self-determination process. No other country should interfere with the process of self-determination, and all fundamental human rights of Puerto Ricans must be respected. All acts of persecution against the proponents of self-determination must cease. A mechanism must be promoted to achieve the free exercise of self-determination: the mechanism proposed by the Colegio de Abogados was convening a constitutional assembly on the status of the Territory and all options for decolonization supported by international law.

20. **Ms. Reverón Collazo** (Movimiento Independentista Nacional Hostosiano) said that the release of Oscar López Rivera was a victory for the people of Puerto Rico.

21. The colonizing Power had established a dictatorship in Puerto Rico under the watch of the United Nations. Seven individuals had been appointed by the United States to form the financial oversight board, which now controlled all three branches of Government in Puerto Rico. The board was a collection agency that worked for Wall Street and its vulture funds.

22. The austerity measures imposed on Puerto Rico had eliminated essential health and education services, privatized utility companies and other public goods and caused the layoffs of thousands of public servants. To guarantee that the people of Puerto Rico could not oppose the austerity policies imposed on them, amendments had been made to the Penal Code criminalizing protest and peaceful civil resistance.

23. The annexationist Government had held a referendum that had been boycotted by all the other political parties in the country, with the result that only 23 per cent of registered voters had participated. Compared to four years prior, the option of full statehood had lost 40 per cent of its support. That fifth referendum had brought the Commonwealth no closer to decolonization: instead, it had only divided the country further. Once the United States had seen that a sovereignty movement had emerged on the island that threatened the colonial status quo, it had forced the Government of Puerto Rico to include the current territorial status as a referendum option.

24. The crisis faced by Puerto Rico necessitated urgent precautionary measures to prevent the colonizing Power from destroying the country. A visiting mission should urgently be sent to the island and should then present its findings, along with specific recommendations, to the General Assembly. Such recommendations could include looking at the issue of compensation for the damages caused by 119 years of colonialism; promoting education regarding the various status options available; and launching a dialogue with the United States so that the latter could fulfil its obligations stemming from General Assembly resolution 1514 (XV), recognize the sovereignty of Puerto Rico and begin a true process of decolonization under the supervision of the international community.

25. It was not enough for the international community to simply express solidarity with the Puerto Rican struggle for sovereignty, or to place demands on the administering Power. The United Nations must move from words to action in its fight against colonialism, taking concrete punitive and effective measures against powers that refused to comply with General Assembly resolution 1514 (XV).

26. **Ms. Sanabria Dávila** (Comité de Puerto Rico en las Naciones Unidas) said that colonialism had experienced a recent upsurge on the island following the establishment of the financial oversight board and the holding of the recent referendum on territorial status.

27. In 2020, the United Nations would celebrate its seventy-fifth anniversary, and the festivities would include events commemorating the Organization's

decolonization achievements since its establishment. However, it must be recognized that Puerto Rico was still a colony with a population of almost eight million individuals who suffered grave human rights violations. The Puerto Rican people had never experienced a minute of freedom: in 2020, it would have been 122 years since they had been invaded by the United States.

28. Living in Puerto Rico was like living in a large corral, where one was unable to cross one's own borders without the permission of a foreign Government. The people were occupied and exploited at home and experienced serious social problems when they attempted to live in the United States, despite possessing American citizenship. Therefore, celebrating the seventy-fifth anniversary of the United Nations would ring hollow for the people of Puerto Rico so long as the international community remained silent with regard to their plight.

29. **Mr. Ramos Rosado** (ProLibertad Freedom Campaign) said that the release of Oscar López Rivera was a reminder that, despite the colonial reality, Boricuas had the power to make anything happen and that, one day, they would be a free and sovereign nation. Irrefutably, Puerto Rico was a colony and its people were the victims of economic and political exploitation by the United States. As was typical in a colonial relationship, rising up against such injustice had resulted in Puerto Ricans being labelled as "terrorists", or incarcerated or assassinated.

30. The establishment of the financial oversight board demonstrated the colonial oppression, and the board's austerity plans were exacerbating unemployment and poverty. However, Puerto Ricans, including the diaspora, were active, organized and resilient in their struggle against colonialism, oppression and adversity, and had achieved various successes over the years. As descendants of Taino and African slaves, Puerto Ricans were a nation that had been forged in the fires of oppression and had always been able to survive, thrive and win. A broad movement calling for the release of the Puerto Rican prisoner of conscience Ana Belén Montes was growing and would eventually accomplish its goal. The Committee was requested to adopt a resolution calling for an end to United States colonialism in Puerto Rico.

31. **Mr. Mangual Cruz** (Coordinadora de Solidaridad Diáspora Boricua) said that the decolonization of Puerto Rico was more urgent than ever before, given the increasingly tight control exercised by the colonizing Power over the island. Under the pretext of restructuring the island's fiscal debt, the United States had imposed a financial oversight board, and other harsh colonial measures. However, the debt had widely been recognized by economic experts as odious debt, imposed by the imperial Power in order to continue exploiting the Territory. Consequently, the General Assembly must reinstate Puerto Rico on the list of Non-Self-Governing Territories.

32. Puerto Rico — or Borinken as it should be called — must achieve independence and national sovereignty as soon as possible so that it could deal with its economic, social and political crisis. Its current situation, including the imposition of the unconstitutional oversight board, placed it in political limbo and on the edge of a humanitarian crisis. United States colonial dominion over the island was more evident than at any point since its invasion in 1898. The question of Puerto Rico must therefore be addressed by the General Assembly so that the appropriate mechanisms could be established to allow for the decolonization of Puerto Rico in conformity with international law and especially with General Assembly resolution 1514 (XV).

33. The 2017 referendum had been a futile exercise in which only 23 per cent of the electorate had voted and 78 per cent had abstained in response to calls from most political parties. The leaders of the Partido Nuevo Progresista wanted colonialism to reach its apex by annexing Puerto Rico to the United States, and it was they who were largely responsible for the current crisis. They claimed that the referendum had been legal, legitimate and moral, even though they had used brazen manipulation to obtain their victory. The Committee should not consider the results of the referendum to be valid or legitimate in any way. Lastly, Ana Belén Montes should be released and nominated for a Nobel Peace Prize in 2018.

34. **Mr. Nenadich Deglan** (Estado Nacional Soberano de Borinken) said that the Committee should submit a resolution to the General Assembly in support of Puerto Rico's application for membership to the United Nations as that was the quickest way to put an end to the island's colonial status. For years, petitioners and others had asked for the question of Puerto Rico to be addressed by the General Assembly, and for the United States to comply with the various resolutions adopted by the Committee. As such requests had been unsuccessful, the State of Borinken was now taking a different tack and was asking for observer status like the State of Palestine.

35. The 2017 referendum organized by the colonial Power had been at least as rigged as its 2012 predecessor, solely designed to obtain an artificial

absolute majority in favour of becoming an American state. It had been boycotted by almost all political parties and organizations representing the opposition as it had not complied with international law. It should therefore be rejected by the Committee.

36. Five referendums had yet to put an end to the colonial occupation. The other option proposed by certain groups, convening an assembly on the territorial status, would never be supported by the country's conservative contingent. As a result, the only viable option for decolonization was for the National Sovereign State of Borinken to be given a seat at the upcoming General Assembly to be held in September 2017. That request had been made to the Committee in 2016 but no response had yet been received.

37. The current crisis threatened to destroy the University of Puerto Rico, which housed the main source of resistance to colonial annexation. Students, professors and employees were trying to save the University as well as their own jobs. In general, the working class was fighting against laws that limited its freedoms. The people of Puerto Rico were called on to engage in peaceful civil resistance against the colonial system imposed by the United States, including the financial oversight board and the colonial government led by the Partido Nuevo Progresista. Lastly, the Committee was urged to work towards the release of Ana Belén Montes and to propose her nomination for a Nobel Peace Prize in 2018.

38. **Mr. Iván Rivera** (Movimiento Amplio Soberanista) said that the arguments presented by the United States Department of Justice in the case of *Commonwealth of Puerto Rico v. Sánchez Valle* and the enactment of PROMESA had made it clear that Puerto Rico was a colony. His organization provided education about free association, which it believed to be the best option for decolonization given the current conditions in Puerto Rico.

39. With a view to finding a legally binding path forwards for Puerto Rico, future resolutions adopted by the Committee should include a specific recommendation for the General Assembly to request the International Court of Justice to give an advisory opinion on the legal question of Puerto Rico. As demonstrated by the Court's Order of 19 December 2003 on the legal consequences of the construction of a wall in the Occupied Palestinian Territory, the General Assembly had the legal authority to request an advisory opinion, regardless of the fact that the administering Power had, in the case of Puerto Rico, withdrawn its jurisdictional consent from the Court. The Court was therefore capable of ruling on whether or not the administering Power had complied with the requirements for the democratic conduct of relations between the United States of America and Puerto Rico as contained in paragraph 9 of General Assembly resolution 748 (VIII).

40. During the 2016 session of the Fourth Committee, the United States had voted against the Special Committee's report on Puerto Rico, arguing that the report did not present integration and free association as acceptable legal alternatives for the people of Puerto Rico to exercise their right to self-determination. In an official communication dated 13 April 2017 from the United States Justice Department to the democratically elected Government of Puerto Rico, however, the options had been limited to only two, assimilating free association with independence without providing any theoretical or legal justification for such a change in position. The United States was speaking out of both sides of its mouth: on the one hand it had indicated to the Human Rights Council in 2012 that it was promoting the right to self-determination for Puerto Ricans, while on the other hand it had simultaneously turned its back on the very procedures that would help it comply with that obligation. The referendum held in June 2017 had included the option of free association using the language contained in the aforementioned communication. Moreover, the Justice Department had unilaterally imposed the current status of dependency as a third option, thus seriously undermining the administering Power's promise to comply with its obligation to ensure the right to self-determination. During the upcoming session of the Fourth Committee, the United States Ambassador should be asked to clarify her country's position with regard to the results of the referendum, as her response might shed light on her Government's true intentions concerning the right to self-determination for Puerto Ricans.

41. **Ms. Colón Pérez** (Coalición Puertorriqueña contra la Pena de Muerte) said that the Committee should include language in its resolution that explicitly rejected the imposition of the federal death penalty on Puerto Rican soil by the United States Government, as a violation of its right to self-determination. The death penalty was imposed on Puerto Rico without the consent of its people, who had clearly rejected that form of punishment. The island had abolished the death penalty in 1929, a decision that had been reiterated in the country's Constitution drafted in 1952. However, the United States had tyrannically eliminated the relevant section of the Constitution when approving it. Furthermore, cases in Puerto Rico were more frequently tried as federal offences and harsher

sentences were sought than in any other jurisdiction. However, no jury in Puerto Rico had yet chosen to apply the death penalty, despite handing down guilty verdicts the vast majority of the time.

42. Moreover, although Spanish was spoken in Puerto Rico, all death-eligible federal cases were tried in English; members of those juries must therefore be fluent in English, as well as support the death penalty. Since the majority of Puerto Ricans did not support capital punishment and/or did not speak English fluently, it was impossible to obtain a jury of one's peers from the remaining handful of individuals.

43. The decision of the Supreme Court in *Commonwealth of Puerto Rico v. Sánchez Valle* had revealed the true colonial nature of the relationship between the United States and its Territory. The United States Congress had reaffirmed its control over Puerto Rico by establishing the oversight board, a body appointed by the Government of the United States but paid for by the people of Puerto Rico and the main objective of which was ensuring that creditors paid the so-called public debt, at the expense of basic services and fundamental rights. The case of Puerto Rico should be brought before the General Assembly on account of the many human rights violations engendered by that colonial relationship.

44. **Ms. Machín Vazquez** (Fundación Yo Soy Boricua) said that her organization supported the National Sovereign State of Borinken and its provisional Government, as well as the latter's petition to obtain observer status for the seventy-second session of the General Assembly. It likewise urged the Committee to call for the immediate and unconditional release of Ana Belén Montes by the United States.

45. The foreign imperialist Government and its despotic policies were the primary cause of the crisis threatening to destroy Puerto Rico. The imposition of the oversight board and its debt restructuring programme had led to widespread impoverishment and massive forced emigration, and the colonial Government, led by the assimilationist Partido Nuevo Progresista, was complicit in that regard. The main objective of the oversight board was to make the Puerto Rican people repay an odious debt to vulturine bondholders who had been robbing them for decades. That unpayable debt had been foisted upon the Puerto Rican people by the United States Government, as well as by a succession of irresponsible colonial administrations, ultimately leading to a major financial and economic crisis.

46. The imposition of the oversight board by the American dictatorship meant that the people of Puerto Rico no longer had control over their country's laws, budget and trade unions, and legislation could be unilaterally imposed. Huge economic cuts had been made to the University of Puerto Rico and pension cuts had affected older residents of Puerto Rico. The annexationist colonial Government had repealed a law establishing a citizens' body to audit the illegal and unpayable debt for reasons of political partisanship and to protect corrupt politicians. The oversight board did not protect the rights of the people, but merely those of rapacious creditors: its priority was paying off the debt at the expense of the people's basic needs. It did not provide economic incentives or help the country develop economically.

47. The National Sovereign State of Borinken was the only legitimate government that could liberate Puerto Rico from the despotic yoke of colonialism in the twenty-first century. It was time for the country to recover its lost sovereignty, illegally usurped by Christopher Columbus in 1493 and then by the United States in 1898. Borinken was the world's oldest colony, having been occupied for more than 500 years. The Committee must be firm in pushing for its decolonization and should transmit a resolution to the General Assembly that granted observer status to the National Sovereign State of Borinken.

48. **Mr. Villanueva Muñoz** (Comité pro Derechos Humanos de Puerto Rico) said that the financial oversight board constituted a dictatorship imposed on Puerto Rico. Its seven members were not elected by the people but could amend the budgets submitted by elected officials. The board had imposed draconian cuts on the State University of Puerto Rico, which guaranteed a public education to the island's most disadvantaged students, and the debt that the United States Government was forcing Puerto Rican workers to repay was illegal and unconstitutional. The elected legislature and the current Governor had adopted laws criminalizing protest and imposing harsh prison sentences on those who resisted the board's dictatorial actions.

49. The Federal Court was cooperating in the repression of the Puerto Rican people by keeping the artist Nina Droz incarcerated without the right to bail for protesting against the measures taken by the financial oversight board. The board and the Court were ignoring the resolutions adopted by the Committee regarding the initiation of a true decolonization process, maintaining the archaic idea that the colonial status of Puerto Rico was a domestic matter to be resolved by the United States and Puerto Rico alone.

50. The Committee should inform the people of Puerto Rico and the international community of what had been done to expedite the decolonization process. It must not cease its work until a concrete result was achieved. The persistent calls of the Puerto Rican people for the release of those who had fought for Puerto Rican independence had paid off; in particular, Oscar López Rivera had been released — also thanks to the efforts of the Puerto Rican diaspora, the international community and the Committee. A people that fought, organized, resisted and believed in its potential was invincible.

51. **Mr. Jordán García** (Actividades del Cerro de los Mártires) said that, in view of its defencelessness against the United States, which refused to end the colonial regime to which it had subjected the island for 119 years, the National Sovereign State of Borinken should be granted membership of the United Nations. In addition, Ana Belén Montes should be released.

52. Member States had been deceived into believing that the colonial status of Puerto Rico had been resolved through the falsehood of the Free Associated State of Puerto Rico, and the people of Puerto Rico were suffering the consequences of that deception. The measures imposed by the financial oversight board created by the United States Government were creating a humanitarian catastrophe, especially for older persons. Forty per cent of those over the age of 65 were living in extreme poverty and the cost of food, health care and water had all risen in recent years.

53. The United States Government had admitted that it considered Puerto Rico to be its property and that it had absolute power over the island's fate. The complicity of the colonial Government had been made clear by its acceptance of the measures of the financial oversight board and its adoption of punitive legislation, which had left the Boricua people defenceless against such atrocious acts. The Committee should use its power to force the United States Government to desist from its deception and to initiate the process of granting the Boricua people representation at the United Nations.

54. **Mr. Antonio Rigau** (Ateneo Puertorriqueño) said that the referendum held in June 2017 would not result in any form of decolonization as it had been conducted according to rules written to favour the United States. The United States Government and the supporters of statehood in Puerto Rico must understand that the right to self-determination and to the sovereignty of Puerto Rico would not be extinguished in the case of annexation; that right would be extinguished only once Puerto Rico had obtained sovereignty in one of the two ways accepted by the Committee in its resolution of 1978, based on General Assembly resolution 1514 (XV), namely by achieving full independence or free association, in accordance with international law.

55. The Committee needed to convince the United States Government to actively participate in the decolonization process. The Government would act only when forced to do so, or when it was advantageous for it to do so; therefore it should be explained to the United States that Puerto Rico would be more financially successful, and less of an economic burden, if it had sovereignty, and that it would be able to play a valuable mediation role between the United States and the Caribbean region.

56. The resolution to be adopted in 2017 should not only uphold the rights of Puerto Rico to independence and self-determination, but should stipulate that those rights would not be extinguished in the case of an annexation.

57. **Ms. Ora Bannan** (LatinoJustice PRLDEF) said that, in 2016, all three branches of the United States Government had made it clear that Puerto Rico was a colony. Since that time, the crisis in Puerto Rico had worsened and, instead of fulfilling its obligation to bring an end to the illegal and immoral practice of colonialism, the United States had introduced austerity measures that were paralysing the Puerto Rican economy. The financial oversight board established by the United States Government had the power to veto decisions taken by the Governor and legislature of Puerto Rico, and had used that power to implement its own stringent plans, which included cuts to public institutions. The board met in private and was not accountable to the people of Puerto Rico; it represented a thoroughly anti-democratic model of governance that would not be permitted anywhere but in a colony. The board would cost Puerto Ricans $370 million in administrative costs — practically the amount that it had insisted should be cut from the State University of Puerto Rico, or enough to keep open the nearly 200 schools that the board had ordered closed.

58. Despite the United States Navy's supposed clean-up effort, the people of Vieques had still not obtained justice. With most of the island remaining under federal control, the inhabitants were unable to exercise control over the local economy, and their movement was restricted. Residents continued to suffer disproportionately from serious diseases. Moreover, the Navy had been plagued by criticism for the way in which it was conducting the clean-up, as its detonation of bombs in open spaces was contributing to the

environmental contamination and health risks that it was supposed to be mitigating.

59. **Ms. Isabel Rijos** (Asociación de Residentes de Piñones) said that her organization represented over a thousand families in the coastal strip of Piñones and defended them against companies that had sought, for over 30 years, to expel them from their land in order to build hotels and luxury residential buildings. The National Sovereign State of Borinken had been a valiant partner to the Association, helping it to conduct a community census, provide education, sports and health services and facilities, and construct and repair houses.

60. The reign of the financial oversight board would drastically impoverish the island; the poor would be hit hardest because municipal services were to disappear. The Committee was urged to submit a resolution to the General Assembly recognizing the National Sovereign State of Borinken as the only legitimate government of Puerto Rico, in view of its genuine and deep commitment to disadvantaged communities on the island, and to do everything in its power to support it to become a Member State of the United Nations.

61. **Mr. Manuel Rivera** (Puertorriqueños Unidos en Acción) said that 2017 had so far been a historic year for Puerto Rico and also one of great challenges. Under the financial oversight board imposed by the United States the institutions of the colonial regime were rapidly deteriorating and their powers to resolve internal problems were being taken away. Oscar López Rivera had been released and 77 per cent of eligible voters had boycotted the referendum of 11 June 2017, sending a clear message of rejection of the process, the options given and the current colonial status.

62. The national experience of Puerto Rico, the inevitable connection of its experience to that of its neighbours in Latin America and the Caribbean, and the current presidential administration of the United States all made Puerto Rico a nation that was geographically and socially different to the United States in every way. After more than 500 years of waging battles against colonialism, Puerto Ricans must not make the inexcusable mistake of embarking on a self-determination process that did not comply with the requirements of international law and General Assembly resolution 1514 (XV). Colonialism had divided the people of Puerto Rico; decolonization must unite it again. It was high time for the case of Puerto Rico to be considered by the General Assembly.

63. **Ms. Lourdes Santiago** (Partido Independentista Puertorriqueño) said that the release of Oscar López Rivera demonstrated that persistence in working for just causes paid off. The imposition of the financial oversight board was nothing short of dictatorial. Its sole purpose was to accumulate the resources needed to pay off the public debt to American creditors. To that end, it had imposed austerity measures that targeted the most vulnerable in Puerto Rico. As a result of the same law that had created the board, management of the public debt was now under the jurisdiction of the United States judiciary. The last vestige of autonomy that had allowed the defenders of colonialism to justify the cynically termed "Free Associated State" was gone.

64. The United States Department of Justice had insisted that the referendum held in June 2017 must include the option "current territorial status", even though that option had been unequivocally rejected in the 2012 referendum. Scarcely 23 per cent of the electorate had voted in the referendum while the overwhelming majority had boycotted it given that it had been unilaterally designed to create an artificial majority in favour of the annexationists. Against the backdrop of the new escalation in colonial aggression that the referendum represented, it was vital that the case of Puerto Rico should be considered by the General Assembly.

65. **Ms. Lourdes García** (A Call to Action on Puerto Rico) said that her organization, composed of members of the Puerto Rican diaspora in the United States, conducted work on the island's financial crisis and colonial situation. The so-called "Free Associated State" was a farce that had been established by the United States so that Puerto Rico would be removed from the list of Non-Self-Governing Territories. In reality, Puerto Rico was a possession that had never achieved self-determination. The imposition of the financial oversight board was a dictatorial measure intended to serve the interests of Wall Street vultures and credit agencies.

66. According to the multiple resolutions on Puerto Rico adopted by the Committee over the previous 60 years, Puerto Rico was capable of self-governance. The island had a skilled working class with a high level of literacy, the infrastructure needed to transport goods, the potential to develop renewable energy, and deposits of copper, nickel and various minerals. The argument that Puerto Rico lacked the resources to subsist as an independent nation served only to cloak the wish of the United States Government to maintain the existing colonial system.

67. The United States Government had consistently failed to comply with the Charter of the United Nations by imposing its own economic, political and military

interests on Puerto Rico, with no regard to the damage caused to the island's population. The United Nations should send a delegation to Puerto Rico to investigate the economic and humanitarian crisis there. In addition, the Committee should recommend to the General Assembly that it should reinstate Puerto Rico on the list of Non-Self-Governing Territories and require the United States to take part in a decolonization process. That process must include the transfer of powers necessary for Puerto Rico to graduate from its economic and political dependency, compensation by the United States Navy for its use of Puerto Rican land for six decades and for the environmental contamination it had caused there, and an end to the harassment and repression by the United States Government of the independence movement, of other mass political movements and, in particular, of Puerto Rican youth.

68. **Ms. Susler** (National Lawyers Guild) said that recent events had further unmasked the true nature of the colonial relationship between the United States and Puerto Rico and the colony's severe human rights crisis. Rather than allowing the island the option of declaring bankruptcy or restructuring its more than $72 billion of unpayable debt, the United States had enacted PROMESA, under which it promised to pay bondholders and vulture hedge funds, while the people of Puerto Rico faced public school closures and cuts in health care, wages and pensions.

69. Although world-renowned economists had called the austerity measures imposed on the island "draconian", the Puerto Rican people were nevertheless fighting for their future and had spurned the pro-statehood colonial administration's recent purported referendum on status as non-binding, unauthorized and illegitimate. University students had gone on strike, the labour movement and its allies had marched on the financial district, the public had insisted on auditing the illegal debt and Puerto Ricans continued to resist the criminalization of their legitimate protests. The release of Oscar López Rivera was very important to the cause of Puerto Rico. He had become a legendary icon and was a symbol of strength and wisdom who embodied the dignity of his people and their spirit of resistance.

70. **Ms. Sánchez** (DiaspoRiqueños-DiaspoRicans) said that Puerto Ricans in the United States had faced many challenges during the twentieth century, and although some Puerto Ricans had successfully settled into life in that country, too many were not doing well. Puerto Ricans had some of the highest rates of unemployment of all Latino groups in the United States, and the current administration was working to reverse the gains in civil rights and social programmes that had been achieved during the second half of the twentieth century.

71. The people in Puerto Rico now faced a major fiscal crisis resulting from decades of economic activity premised on responding to United States corporate interests, rather than on establishing a self-sustaining economy that could meet the needs of the Puerto Rican people. The financial oversight board portended the demise of the remaining assets and resources the people of Puerto Rico had to pay the vulture funds and banks, which were reaping enormous profits at the expense of the people. Emigration and population loss in Puerto Rico was squeezing businesses, forcing schools to close and depleting the tax base. The economic crisis had its roots in Puerto Rico's colonial status as a possession of the United States, and Puerto Rico had become a huge "garage sale" for the capitalist interests of that country.

72. **Ms. Clemente López** (La Cacica Cimarrona) said that the National Sovereign State of Borinken should be recognized, and, as a member of the African diaspora in Puerto Rico, she joined many others around the world in demanding respect for the rights of the Borinken people as they faced genocide.

73. White hegemony was the most pressing problem in the world; it affected a broken United Nations which aligned its own agenda with the imperialist and aggressive agenda of its host country. No law other than force gave the United States the right to govern Puerto Rico. The United States Government had employed deception to create the "Free Associated State of Puerto Rico", with the complicity of the United Nations, the Vatican and the imperialist media. Puerto Rico was under the control of a voracious Government, but it deserved to have its own constituent assembly without any interference.

74. The hegemony of the white Anglo-Saxon Government was like a cancer and was the cause of global warming and the slavery of many peoples, including the original Taino people of Puerto Rico. It was absurd that the United States, France and Portugal were not members of the Committee when they were the source of so much misfortune. Resolutions had been adopted offering concrete solutions to colonialism, but they had not been implemented.

75. **Mr. Hurtado Aldana** (Coordinadora Mexicana de Apoyo al Estado Nacional Soberano de Borinken) said that the so-called Free Associated State of Puerto Rico was a fiction created by the United States in 1952 in an attempt to disguise its disgraceful colonialism. Now, the United States was making Puerto Ricans pay

$75 billion to Wall Street vultures through the financial oversight board.

76. All three branches of the United States Government had indicated that Puerto Rico lacked sovereignty and that control over the island lay with the United States Congress, which contradicted what that Government had told the international community 63 years before. The Government had changed its stance to ensure that Puerto Rico was not able to defend itself by claiming the rights of sovereign nations under international law. However, the plan to strip Puerto Rico of the remainder of its national heritage was being thwarted by the existence of the National Sovereign State of Borinken, which had independently formed, and had informed the United Nations of its existence. The General Assembly should grant the National Sovereign State of Borinken full Member State status, with the corresponding rights and responsibilities.

77. **Ms. Elias** (Green Party of the United States) said that the United States must completely sever its ties with Puerto Rico and allow the Puerto Rican people to live free from colonial rule once and for all. The financial oversight board had been created merely to ensure that the benefactors of the United States continued to prosper from predatory lending by banks and corporations under the guise of helping Puerto Ricans. Venture capitalists had been permitted to start businesses, buy property and pay little or no taxes, to the detriment of Puerto Ricans living on the island. With 50 per cent of its people living in poverty and 12 per cent unemployed, Puerto Rico was on the brink of collapse and lacked revenues necessary to stabilize its economy.

78. Under the austerity measures imposed by the oversight board, Puerto Rico would be catapulted into a deeper humanitarian crisis. Puerto Ricans were expected to bear the burden of debt, despite the fact that they had no say in their future. The flag of Puerto Rico flying at the United Nations was an exciting prospect, but the island was currently a colony and its voice was suppressed. Puerto Ricans had shed blood fighting in United States wars, but were still not allowed to vote in its presidential elections. They had lost faith in the political system, and the United States should not assume that Puerto Rico wanted to become a state. Puerto Rico deserved full membership in the General Assembly and should be allowed to govern itself as an independent State or sovereign entity, on the basis of what its people decided.

79. **Mr. Jordán Salivia** (Juventud Boricua) said that the National Sovereign State of Borinken should be granted membership of the United Nations and Ana Belén Montes should be released. Despite over 30 resolutions calling on the United States to allow Puerto Ricans to exercise their right to self-determination, the United States remained indifferent and, after 500 years of colonial status, Puerto Ricans were frustrated. The imposition of the financial oversight board, and the lack of the political autonomy necessary to take measures to reduce the enormous national debt, had resulted in desperation.

80. The situation of young people in Puerto Rico was shocking: opportunities were few, entrepreneurship was difficult due to anachronistic, bureaucratic barriers, and most of the jobs available paid miserable wages. Hunger made people violent, and if the situation did not change there was a risk of an uprising. The limitations entailed in the continued status of Puerto Rico as a colony were ruining the island, making it ever more tempting for young people to leave and pursue their dreams in other countries, rather than staying and contributing to the development of Puerto Rico.

81. Recently university students had been the most active segment of the population in resisting the austerity measures that were destroying the State University of Puerto Rico. Some said that young people could protest so vehemently because they did not have anything to lose; in reality, their future was at stake, so they had a great deal to lose.

The meeting rose at 1 p.m.